

**CONFERENCE COMMITTEE REPORT
DIGEST FOR EHB 1336**

Citations Affected: IC 6-6-11-12; IC 6-6-11-12.5; IC 14-8-2-107; IC 14-9-8-21.5; IC 14-9-9-5.

Synopsis: Lake and river enhancement. Conference committee report for EHB 1336. Changes the flat \$5 lake and river enhancement fee to a fee ranging from \$5 to \$25 as determined by the value of a registered boat. Requires two-thirds of the revenue from this fee be allocated for the lake and river enhancement fund and one-third of the revenue allocated for the conservation officers marine enforcement fund. Allows DNR to transfer 20% of the funds in the conservation officers marine enforcement fund into the counties with special boat patrol needs fund. Makes an appropriation of money in the conservation officers marine enforcement fund. (The introduced version of this bill was prepared by the natural resources study committee.) **(This conference committee report changes the flat \$15 lake and river enhancement fee increase to a fee ranging from \$5 to \$25 as determined by the value of a registered boat.)**

Effective: July 1, 2003.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill No. 1336 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

1 Delete everything after the enacting clause and insert the following:
2 SECTION 1. IC 6-6-11-12 IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2003]: Sec. 12. (a) In addition to paying the
4 boat excise tax, a boat owner shall complete a form and pay a
5 department of natural resources fee for each boat required to have boat
6 excise decals. The fee is five dollars (\$5) for each boating year.
7 However, the fee is waived for the boating year in which the
8 registration fee prescribed by IC 9-29-15 is paid for that boat. The
9 revenue from the fees collected under this chapter shall be transferred
10 to the department of natural resources, as provided in section 29 of this
11 chapter.

12 (b) In addition to the boat excise tax and the department of natural
13 resources fee, a boat owner shall pay to the department of natural
14 resources a ~~five dollar (\$5)~~ lake and river enhancement fee for each
15 boat required to have boat excise decals **in the amount set forth in the**
16 **following table:**

17 Value of the Boat	Amount of the Fee
18 Less than \$1,000	\$ 5
19 At least \$1,000, but less than \$3,000	\$10
20 At least \$3,000, but less than \$5,000	\$15
21 At least \$5,000, but less than \$10,000	\$20
22 At least \$10,000	\$25

(c) The revenue from the lake and river enhancement fee **imposed under subsection (b)** shall be deposited in the **following manner**:

(1) **Two-thirds (2/3) of the money shall be deposited in the lake and river enhancement fund established by section 12.5 of this chapter.**

(2) **One-third (1/3) of the money shall be deposited in the conservation officers marine enforcement fund established by IC 14-9-8-21.5.**

SECTION 2. IC 6-6-11-12.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 12.5. (a) The lake and river enhancement fund is established **and allocated** for the **purpose of paying following purposes**:

(1) **One-half (1/2) of the fund shall be used to pay costs incurred by the department of natural resources in implementing the lake and river enhancement projects required by IC 14-32-7-12(b)(7).**

(2) **One-half (1/2) of the fund shall be used by the department of natural resources to pay for lake projects, including projects to:**

(A) **remove sediment; or**

(B) **control exotic or invasive plants or animals.**

(b) The fund shall be administered by the director of the department of natural resources.

(c) Expenses of administering the fund shall be paid from money in the fund.

(d) The fund consists of the revenue from the lake and river enhancement fee paid by boat owners **and deposited under ~~IC 6-6-11-12(b):~~ section 12(c)(1) of this chapter.**

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) With the approval of the governor and the budget agency, **the money in the fund allocated under subsection (a)(1)** may be used to augment and supplement the funds appropriated for the implementation of lake and river enhancement projects required by IC 14-32-7-12(b)(7).

SECTION 3. IC 14-8-2-107, AS AMENDED BY P.L.145-2002, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 107. "Fund" has the following meaning:

(1) For purposes of IC 14-9-5, the meaning set forth in IC 14-9-5-1.

(2) For purposes of IC 14-9-8-21, the meaning set forth in IC 14-9-8-21.

(3) **For purposes of IC 14-9-8-21.5, the meaning set forth in IC 14-9-8-21.5.**

(4) For purposes of IC 14-9-9, the meaning set forth in IC 14-9-9-3.

~~(4)~~ (5) For purposes of IC 14-12-1, the meaning set forth in IC 14-12-1-1.

~~(5)~~ (6) For purposes of IC 14-12-2, the meaning set forth in IC 14-12-2-2.

~~(6)~~ (7) For purposes of IC 14-12-3, the meaning set forth in

- 1 IC 14-12-3-2.
- 2 ~~(7)~~ **(8)** For purposes of IC 14-13-1, the meaning set forth in
- 3 IC 14-13-1-2.
- 4 ~~(8)~~ **(9)** For purposes of IC 14-13-2, the meaning set forth in
- 5 IC 14-13-2-3.
- 6 ~~(9)~~ **(10)** For purposes of IC 14-19-4, the meaning set forth in
- 7 IC 14-19-4-1.
- 8 ~~(10)~~ **(11)** For purposes of IC 14-19-5, the meaning set forth in
- 9 IC 14-19-5-1.
- 10 ~~(11)~~ **(12)** For purposes of IC 14-20-1, the meaning set forth in
- 11 IC 14-20-1-3.
- 12 ~~(12)~~ **(13)** For purposes of IC 14-20-11, the meaning set forth in
- 13 IC 14-20-11-2.
- 14 ~~(13)~~ **(14)** For purposes of IC 14-22-3, the meaning set forth in
- 15 IC 14-22-3-1.
- 16 ~~(14)~~ **(15)** For purposes of IC 14-22-4, the meaning set forth in
- 17 IC 14-22-4-1.
- 18 ~~(15)~~ **(16)** For purposes of IC 14-22-5, the meaning set forth in
- 19 IC 14-22-5-1.
- 20 ~~(16)~~ **(17)** For purposes of IC 14-22-8, the meaning set forth in
- 21 IC 14-22-8-1.
- 22 ~~(17)~~ **(18)** For purposes of IC 14-22-34, the meaning set forth in
- 23 IC 14-22-34-2.
- 24 ~~(18)~~ **(19)** For purposes of IC 14-23-3, the meaning set forth in
- 25 IC 14-23-3-1.
- 26 ~~(19)~~ **(20)** For purposes of IC 14-23-8, the meaning set forth in
- 27 IC 14-23-8-1.
- 28 ~~(20)~~ **(21)** For purposes of IC 14-25-2-4, the meaning set forth in
- 29 IC 14-25-2-4.
- 30 ~~(21)~~ **(22)** For purposes of IC 14-25-10, the meaning set forth in
- 31 IC 14-25-10-1.
- 32 ~~(22)~~ **(23)** For purposes of IC 14-25-11-19, the meaning set forth
- 33 in IC 14-25-11-19.
- 34 ~~(23)~~ **(24)** For purposes of IC 14-25.5, the meaning set forth in
- 35 IC 14-25.5-1-3.
- 36 ~~(24)~~ **(25)** For purposes of IC 14-28-5, the meaning set forth in
- 37 IC 14-28-5-2.
- 38 ~~(25)~~ **(26)** For purposes of IC 14-31-2, the meaning set forth in
- 39 IC 14-31-2-5.
- 40 ~~(26)~~ **(27)** For purposes of IC 14-25-12, the meaning set forth in
- 41 IC 14-25-12-1.
- 42 ~~(27)~~ **(28)** For purposes of IC 14-33-14, the meaning set forth in
- 43 IC 14-33-14-3.
- 44 ~~(28)~~ **(29)** For purposes of IC 14-33-21, the meaning set forth in
- 45 IC 14-33-21-1.
- 46 ~~(29)~~ **(30)** For purposes of IC 14-34-6-15, the meaning set forth in
- 47 IC 14-34-6-15.
- 48 ~~(30)~~ **(31)** For purposes of IC 14-34-14, the meaning set forth in
- 49 IC 14-34-14-1.
- 50 ~~(31)~~ **(32)** For purposes of IC 14-37-10, the meaning set forth in

1 IC 14-37-10-1.

2 SECTION 4. IC 14-9-8-21.5 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2003]: Sec. 21.5. (a) As used in this section, "fund" refers to the
5 conservation officers marine enforcement fund established by this
6 section.

7 (b) The conservation officers marine enforcement fund is
8 established. The department shall administer the fund. The
9 department may expend the money in the fund exclusively for
10 marine enforcement efforts associated with recreational boating on
11 Indiana waters, including uses described in IC 14-9-9-5.

12 (c) The fund consists of money from the lake and river
13 enhancement fee paid by boat owners and deposited under
14 IC 6-6-11-12(c)(2). Money deposited in the fund is annually
15 appropriated and allotted to the department to carry out the
16 purposes of this section. The expenses of administering the fund
17 shall be paid from money in the fund.

18 (d) Money in the fund at the end of a state fiscal year does not
19 revert to the state general fund. However, the department may
20 transfer from the fund to the counties with special boat patrol
21 needs fund (IC 14-9-9-5) an amount that does not exceed twenty
22 percent (20%) of money deposited into the fund.

23 SECTION 5. IC 14-9-9-5 IS AMENDED TO READ AS FOLLOWS
24 [EFFECTIVE JULY 1, 2003]: Sec. 5. (a) The counties with special
25 boat patrol needs fund is established exclusively to provide grants to
26 certain counties to provide law enforcement services on lakes located
27 within the counties.

28 (b) The department shall administer the fund. **Money in the fund**
29 **includes money transferred from the conservation officers marine**
30 **enforcement fund (IC 14-9-8-21.5).** Money in the fund is annually
31 appropriated to the department and shall be used exclusively for the
32 enforcement of laws pertaining to watercraft on lakes located in
33 counties with special boat patrol needs as described in this chapter.

34 (c) The expenses of administering the fund shall be paid from
35 money in the fund.

36 (d) The treasurer of state shall invest the money in the fund not
37 currently needed to meet the obligations of the fund in the same
38 manner as other public funds may be invested.

39 (e) Money in the fund at the end of a fiscal year does not revert to
40 the state general fund.

(Reference is to EHB 1336 as printed April 8, 2003.)

Conference Committee Report
on
Engrossed House Bill 1336

Signed by:

Representative Adams T
Chairperson

Senator Meeks R

Representative Kruse

Senator Craycraft

House Conferees

Senate Conferees